

REYNOLDS & HERNDEN.

... General but an Secretary of War ad interim, whom he claimed to be. The desire of the counsel was not simply to

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Mr. Butler replied. He said the argument of the respondent counsel seemed to show they felt the question involved might decide their case. The Managers claimed the President had long intended to resign and that he showed an unusual interest in his aid a general of the army. He then gave an order to Mr. Thomas to take possession of the War Office, which counsel said was in the usual form. This he claimed was not true. He had no authority and was not shown an unusual intent. The wording was, "You will immediately take possession." Mr. Stanton when he first yielded, yielded, as he said, to superior force. After his protestation he was more strongly fortified and when he saw that the President would again yield except to superior force, and the President could not have expected him to yield otherwise. The President intended to do so, and he said that Mr. Thomas was connected to aid him in this conspiracy was constituted, and on this ground the Managers claimed their right to introduce the testimony in question. They also claimed it on the ground of the relation existing between the President and those agents of the principal and agent, and the commission to do just what the President wanted him to do, viz.: To obtain possession of the War Office. The declaration of General Thomas was about the same thing, that he was not shown any support he was trying to secure. No objection was made by the counsel yesterday to the introduction of testimony relating to what was done by Gen. Thomas in the War Department. The President was not shown any support.

Mr. Stanbery—General Thomas was then acting within his authority.

Mr. Butler continued and cited authorities to support his position, making the admissibility of evidence in a trial of conspiracy of one a conspirator in the absence of another. He proceeded to state that they proposed to show through evidence under discussion that Gen. Thomas was acting under force, but was prevented by terror. He referred to the testimony of Mr. Stanbery that they had now reached points of law worthy to be argued by lawyers to lawyers. They had already had questions worthy of debate by the highest authorities and the counsel for Butler protested against narrowing the subject down to the argument of attorneys.

Mr. Curtis rejoined. It was a sufficient objection to the first part of the question to be submitted to the jury, that the testimony of Gen. Thomas was immaterial to the charges in issue whether made by a competent or incompetent witness, and it was also an objection that the declaration bearing on the question of what was the President's intent had not been made up to by a witness shown to come within or recognized by exceptions to the rule. In brief, no declaration of Mr. Thomas could show the President's intent, and if any could they must have been made up to by a witness shown to come within or recognized by exceptions to the rule. In brief, no declaration of Mr. Thomas could show the President's intent, and if any could they must have been made up to by a witness shown to come within or recognized by exceptions to the rule. In brief, no declaration of Mr. Thomas could show the President's intent, and if any could they must have been made up to by a witness shown to come within or recognized by exceptions to the rule.

Mr. Stanbery followed, denying there was grounds for the assumption that the Senate was restricted in considering this matter by a question whether it had proven that force was intended or he used the President. He read the 18th article of the Constitution, and said that the President could claim the President and Federal Thomas could not shelter themselves by asserting their action was a matter of obeying a military order. Managers of General Thomas were not merely saying that the President was not shown the intention of the President. They would show from his own written confessions that his long meditated purpose had been to violate the law of Congress. The arguments of his counsel had been that the President was not shown any support. Thomas did not act that day as Adjutant General but as Secretary of War ad interim, whom he claimed to be. The desire of the counsel was not simply to

been told by Mr. Evans, as verbatim special
 publications of the question, which was finally
 settled.
 Q. Have you had any conversation with Mr.
 Thomas since the first one and through appoint-
 ment as Secretary of War *ad interim*, wherein he
 did anything about using force in putting into
 effect the order of the President for transferring
 to former concentration; if so, what was said?
 A. Witness replied he had asked Gen. Thomas
 last week why the performance promised had not
 come off; he answered it was because he was ar-
 ranged to be absent early in the morning, other-
 wise he would have broken in the morning.
 Q. On cross examination by Mr. Jankov, witness
 did he want to the department in business with
 Adjutant General; Gen. Thomas made some
 reference to the order of the President, and he
 to the effect; that he would just hold them to
 their accountability about coming to work pre-
 sently at 9 o'clock, but that on summing his post-
 on, Adjutant General he was disposed to re-
 ceive the order of the President; clear that the
 predecessor; he should, of course expect a faithful
 performance of their duties; I spoke only to
 employees of his own department.
 Q. Did you have any conversation with Mr. Evans
 after he has known Gen. Thomas for a year?
 A. I had a conversation with him after the afternoon of
 5.31st, at the War Department, in which
 General Thomas said that since that had become
 known to him, he had been in the office, and re-
 spected; he stated he had demanded possession of
 the War Office and Station. I asked if there
 could be allowed to remove papers, which he
 denied, and granted a key to witness, his
 clothing, and a key to the office in the Monday
 morning, and would, if necessary, call the ad-
 junct of the Army for assistance, which he
 thought could not be refused. It will be re-
 membered that General Thomas said some intention,
 next day, that he would arrest the President,
 10.31st Monday; he seemed to mean what he
 said.
 Q. Cross examined by Mr. Evans—Is connected
 with the President; Mr. Evans told him that
 the day he had been in the office, and that
 on Saturday; witness did not know
 whether he issued the order as Adjutant General
 or Secretary of War.
 Q. Direct examination: Hear Thomas say he
 was the Secretary of War.
 A. George W. Katzner had known former Thomas
 many years; saw him at the feet of the Presi-
 dent on the 9th inst.; said so, a General, the
 President, and he was in the office, the people ask
 to stand firm. He replied that he intended
 to stand firm in a short time he would like to
 kick out; he did not say who it was that he intend-
 ed to kick out; witness understood him to refer
 to Mr. Stanton.
 Q. Cross examined by Mr. Stanton: Saw Gen-
 eral Thomas the last time while in New Castle,
 Delaware; remembered when at where he was;
 did not know him before; did not notice from Dela-
 ware; did not know him when he was in the office;
 a desire to see him when in the East Room
 of the White House; did not know him; did not
 respect to him by General Thomas was polit-
 est to him by Mr. Tanner he introduced
 him to witness, and he was kicking out; did
 not know him; did not know him; did not know
 him; did not know him; did not know him;
 whether he approved of them of conduct
 General Thomas spoke of taking witness con-
 sidered this conversation took; Tanner that
 was a Mr. Smith, from New York; witness
 was not John, but William, and he came
 in the brandywine; witness was summoned
 to the Committee about that.
 Q. Cross examined: Mr. Thomas was the Committee
 on the Committee.
 A. Butler—Did General Thomas thereupon
 told that what you had seen was true?
 A. Witness testified that he had seen at 5.10.
 Q. The Senate, after cross-examination, adjourned.
 ST. LOUIS.
 The Indian.
 ST. LOUIS, April 1.
 Reports from Fort Laramie, of the Cheyenne
 Northern Apaches will be by represented
 in the Indian country. The first of them is not
 expected to arrive at Fort Laramie, but the
 examination will probably reach Laramie.
 The Cheyenne by the Santa Fe, which report
 from Hays City, Kansas, on the 14th inst., report

[illegible]

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The Notes and Accounts of the late firm of
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referred to by U. S. ARCHER for collection, all persons
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Titusville, Pa., Feb. 29, 1888-47

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